

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DEUTSCHE BANK TRUST COMPANY AMERICAS,
in its capacity as successor indenture trustee for
certain series of Senior Notes, et al.,

Plaintiffs,

Civil Action

-vs.

Case No. 1:11-CV-4784 (RJH)

ADALY OPPORTUNITY FUND
TD SECURITIES INC. C/O ADALY, et al.,

Defendants.
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NOTICE OF APPEARANCE

PLEASE TAKE NOTICE that the undersigned hereby appears as counsel of record on behalf of defendant/s "Robert A. and Jamie A. Simins, JTWROS" in the above-captioned action, with full reservation of rights, and request that all papers and documents required to be served in this action upon said defendant/s shall be served upon the undersigned at the address stated below. I certify that I am admitted to practice in this Court.

Dated: New York, New York
November 3, 2011

DEUTSCH, METZ & DEUTSCH, LLP

By: /s/ 
Alfred N. Metz (AM 6294)

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Attorneys for Defendant/s "Robert A. Simins and
Jamie A. Simins, JTWROS"

CERTIFICATE OF SERVICE

Alfred N. Metz hereby certifies that on November 4, 2011 he caused the attached Notice of Appearance to be served upon all counsel of record by means of filing the document electronically through the Court's CM/ECF system.

A handwritten signature in blue ink, appearing to read 'Alfred N. Metz', is written over a horizontal line.

Alfred N. Metz